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Attorney for Defendant
 SANG HUN PARK

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO VENUE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SANG HUN PARK,

Defendant.

) NO. CR-05-00447 CRB
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**REQUEST, STIPULATION AND
 ORDER**

This matter is currently on the Court's calendar for August 16, 2006. Through a counsel, Defendant Sang Hun Park and the United States ask the court to (a) vacate the August 16, 2006 date based on the defendant's anticipated plea agreement, (b) set a date of September 20, 2006 for change of plea and (c) exclude time under the Speedy Trial Act, 18 U.S.C. section 3161 from August 16, 2006 to September 20, 2006.

1. The parties are currently working out the language of a plea agreement and request that the Court set the matter for September 20, 2006 for change of plea.

2. The parties agree that the time between August 16, 2006 and September 20, 2006 should be excluded from the Speedy Trial clock. Previously, the Court has declared this case complex. See 18U.S.C. section 3161(h)(8)(B)(ii). Further, defense counsel is investigating the immigration

1 consequences of a plea. That matter needs a short amount of time to be resolved, and thus the parties
2 agree that a continuance is necessary for the effective preparation of defense counsel, taking into
3 account the exercise of due diligence. See 18 U.S.C. section 3161(h)(8)(B)(iv). The parties also
4 agree the ends of justice are served by excluding the period from August 16, 2006 to September 20,
5 2006 outweigh the interest of the public an the defendant in a Speedy Trial. See id. section
6 3161(h)(8)(A0.

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8 STIPULATED:

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11 DATED: August 9, 2006

/S/ Michael Gaines
MICHAEL GAINES, Attorney for Sang Hung Park

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14 DATED : August 9, 2006

/S/ PETER AXELROD _____
PETER AXELROD
Assistant United States Attorney

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ORDER

_____ For good cause shown, and for the reasons stated above, the Court (a) vacates the July 26, 2006, hearing date for defendant Sang Hung Park based on the anticipated plea agreement, (b) sets the matter for a change of plea on September 20, 2006 at 2:15 p.m., and (c) excludes time under the Speedy Trial Act, 18 U.S.C. section 3161 from August 16, 2006 to September 20, 2006. The Court finds that the failure to grant the requested exclusion would deny defense counsel reasonable time necessary for effective preparation taking into account the exercise of due diligence. Further, the Court finds the exclusion warranted on complexity grounds, under 18 U.S.C. section 3161(h)(8)(B)(ii). Thus, the Court finds that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. sections 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv).

IT IS SO ORDERED.

DATED : August 14, 2006

